

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Shannon Marie Therrien-Bauer,

Debtor.

Case No. 05-52123

Chapter 7

Hon. Phillip J. Shefferly

**ORDER DENYING MOTION TO DISCHARGE FEDERAL
DIRECT STUDENT LOAN DEBT**

On January 25, 2005, the Debtor filed a voluntary petition under Chapter 7 of the Bankruptcy Code. On March 15, 2005, the Debtor filed a "Motion to Discharge Federal Direct Student Loan Debt". The Debtor's motion seeks to discharge a student loan pursuant to 11 U.S.C. § 523(a)(8). A determination that a debt is non-dischargeable can only be made in an adversary proceeding. Fed. R. Bankr. P. 7001(6); Ruehle v. Educational Credit Management Corp., No. 04-3525, 2005 WL 1473934 (6th Cir. June 3, 2005). Because the Debtor has requested a determination of non-dischargeability of the Federal Direct Student Loan Debt in the Debtor's motion, and has not filed an adversary proceeding, the Debtor's motion must be denied. Accordingly,

IT IS HEREBY ORDERED that the Debtor's "Motion to Discharge Federal Direct Student Loan Debt" is denied.

PHILLIP J. SHEFFERLY
U.S. BANKRUPTCY JUDGE

Dated: July 12, 2005

cc: James B. Rasor
500 South Washington Avenue, Ste. 5
Royal Oak, MI 48067

Gene R. Kohut
21 Kercheval Avenue, Ste. 285
Grosse Pte. Farms, MI 48236

U.S. Trustee